

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Darryl Beasley,

Civil No. 19-799 (DWF/DTS)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Minnesota Department of Corrections and
Martin County Sheriff Department,

Respondents.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge David T. Schultz dated April 26, 2019. (Doc. No. 3.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge David T. Schultz's April 26, 2019 Report and Recommendation (Doc. No. [3]) is **ADOPTED**.

2. This action is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 14, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge